OCT 18 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

C. Glen Wensley

Art Unit: 1746

Serial No. 09/851,479

Examiner: M. Wills

Filed: May 8, 2001

For: SEPARATOR FOR POLYMER BATTERY

Mail Stop Appeal Brief-Patents Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Date of Deposit: October 15, 2004

I hereby certify that the attached correspondence comprising:

- Notice of Appeal
- Appeal Brief & Appendix (in triplicate)
- Fee Transmittal (in duplicate)
- Return Receipt Postcard

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.

Janice B. Davis

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)	680.	.00

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Complete if Known				
Application Number	09/851,479			
Filing Date	May 8, 2001			
First Named Inventor	C. Glen Wensley			
Examiner Name	M. Wills			
Art Unit	1746			
Attorney Docket No.	2000 34			

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)				
Check Credit card Money Other None	3. ADDITIONAL FEES					
X Deposit Account:			Small -			
Deposit 00.0447	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Account Number 08-2447	1051	130	2051	65	Surcharge - late filing fee or oath	
Deposit Account Robert H. Hammer III, P.C.	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name The Director is path asized the (check all that apply)		130	1053	130	Non-English specification	
The Director is authorized to: (check all that apply) X Charge fee(s) indicated below X Credit any overpayments		2,520	1812	2,520	For filing a request for ex parte reexamination	<u> </u>
Charge any additional fee(s) or any underpayment of fee(s)		920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee		1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above-identified deposit account.		110	2251	55	Extension for reply within first month	<u> </u>
FEE CALCULATION	1252	430	2252	215	Extension for reply within second month	<u> </u>
1. BASIC FILING FEE Large Entity Small Entity	1253	980	2253	490	Extension for reply within third month	
Fee Fee Fee Fee Description Fee Paid	1254	1,530	2254	7650	Extension for reply within fourth month	•
Code (\$) Code (\$) 1001 790 2001 395 Utility filing fee	1255	2,080	2255	1,040	Extension for reply within fifth month	ļ
1001 790 2001 395 Utility filing fee 1002 350 2002 175 Design filing fee	1401	340	2401	170	Notice of Appeal	340.00
1003 550 2003 275 Plant filing fee	1402	340	2402		Filing a brief in support of an appeal	340.00
1004 790 2004 395 Reissue filing fee	1403	300	2403	150	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
	1452	110	2452	55	Petition to revive - unavoidable	
SUBTOTAL (1) (\$)		1,370	2453	685	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1,370	2501	685	Utility issue fee (or reissue)	
Extra Claims below Fee Paid	1502	490	2502	245	Design issue fee	
Total Claims20** = X = X =	1503	660	2503	330	Plant issue fee	
Claims - 3** = L ^ L =	1460	130	1460	130	Petitions to the Commissioner	
Multiple Dependent =	1807	50	1807	7 50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity	1806	180	1806		Submission of Information Disclosure Stmt	
Fee Fee Fee Fee <u>Fee Description</u> Code (\$)	8021	40	802	1 40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection	
1201 88 2201 44 Independent claims in excess of 3					(37 CFR 1.129(a))	
1203 300 2203 150 Multiple dependent claim, if not paid	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1204 88 2204 44 ** Reissue independent claims over original patent	1801	790	2801	395	Request for Continued Examination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	, , ,	
·		Other fee (specify)				
SUBTOTAL (2) **or number previously paid, if greater; For Reissues, see above	*Red	uced by	Basic	Filing F	ee Paid SUBTOTAL (3) (\$)	680.00
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SUBMITTED BY

Name (Print/Type)

Scott E. Hanf
(Attorney/Agent)

Signature

(Complete (if applicable))

Telephone
704-927-0400

Date
October 15, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRE SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.